

REMARKS

Reconsideration is respectfully requested.

Claims 22 through 29 and 33 through 49 remain in this application. Claims 1 through 21 and 30 through 32 have been cancelled. No claims have been withdrawn. Claims 50 through 52 have been added.

Parts 1 through 5 of the Office Action

Claims 22 through 29 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Gaukel in view of Dixon.

Claims 33 through 40 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Gaukel.

Claims 46 and 47 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Gaukel in view of Miyashita.

Claim 41 has been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Gaukel in view of Leibowitz.

Claim 49 has been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Gaukel in view of Leibowitz, Miyashita and Seeman.

Claim 22 requires a liner disposed within the camouflaging receptacle and having an interior compartment, the liner cooperating with the camouflaging receptacle so as to form a concealed cavity that is not visible from the interior of the liner” and “telecommunications circuitry disposed within the concealed cavity and in electrical communication with the alarm circuitry”.

It is conceded in the rejection that Gaukel “lacks the teaching of a liner disposed within the camouflaging receptacle and having an interior

compartment so that the receptacle is not visible from the interior of the liner”, but it is then asserted that:

Dixon teaches a liner disposed within the camouflaging receptacle 9 having an interior compartment so that an alarm receptacle 16 is not visible from the interior of the liner (col. 3 lines 34-42).

As can be appreciated from the portion of the rejection quoted above, there is not identification in the text of the rejection of what structure or element of the Dixon apparatus is being construed by the Patent Office as the claimed “liner”, and it is submitted that the Dixon patent lacks a teaching of the liner as set forth claimed liner, particularly the claimed “liner... having an interior compartment”. The rejection refers to the text of the Dixon patent at col. 3, lines 34 through 42, which states:

As illustrated in FIG. 1, the battery 15 and signal 16 are preferably disposed in the bottom of the purse 8 beneath a false bottom 49. The false bottom 49 may be provided with a zipper or other closure 50 to afford access to the battery and signal. A bottom part of the body portion 10 may include a portion of open work construction, as seen at 51 of FIG. 1, beneath the signal 16, through which the sound produced by the signal 16 will escape from the purse 8 without being muffled.

While there is some discussion here regarding a “false bottom 49”, there does not appear to be any discussion or description that would suggest to one of ordinary skill in the art that the false bottom 49 is a “liner” as one of ordinary skill in the art would understand that term. The false bottom 49 as figures of Dixon appears to be a planar member that acts as a floor, and not as a liner as that term would be understood by one of ordinary skill in the art.

Perhaps most significantly, the false bottom does not “hav[e] an interior compartment” as required by the language of the claim. This is a requirement of the claim that the false bottom of Dixon simply cannot meet.

Further, new claim 50 requires that "the liner defines the interior compartment such that the interior compartment is capable of receiving items to be carried by the camouflaging receptacle". This is clearly not true of the Dixon false bottom. New claim 51 requires that "the liner includes side walls arranged in a continuous perimeter about the interior compartment, and a bottom wall united to lower portions of the side walls to close a bottom end of the perimeter of side walls". Again, this liner requirement is foreign to the disclosure of Dixon. And new claim 52 requires that "the liner is removably disposed in the camouflaging receptacle".

It is further asserted in the rejection that:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to position the equipment of Gaukel's apparatus in a liner as taught by Dixon in order to hide the items and still be able to utilize the receptacle for other carrying means.

However, in light of the previous discussion, it is submitted that one of ordinary skill in the art would not recognize the false bottom of the Dixon apparatus as disclosing the liner as claimed in claim 22.

Turning to claim 33, it requires in part "wherein the interface element is configured to supply power from the power supply to the electronic device and is configured to exchange data between the processor and the electronic device when the electronic device is positioned in the interior compartment".

It is conceded in the rejection of claim 33 that Gaukel "does not explicitly teach the electronic device and interface element being removable", and it is alleged that:

However, it would have been obvious to one of ordinary skill in the art at the time the claimed invention was made to the electronic device and interface element removable, since it has been held by the courts making an integral structure separable (e.g. in a plurality of

pieces), if so is desired, would require only ordinary skill. *In re Dulberg*, 129 USPQ 348, 349 (CCPA 1961).”.

However, as set forth in the claims, the claimed invention does not merely involve the making of the elements “separable”, but removable with respect to the interior compartment of the receptacle. The elements are not merely “separated” from the interior compartment of the receptacle, but are removably received in the interior compartment of the receptacle, and “the interface element is configured to supply power from the power supply to the electronic device and is configured to exchange data between the processor and the electronic device *when the electronic device is positioned in the interior compartment*”. It is submitted that it would not have been obvious to one of ordinary skill in the art, considering the Gaukel patent, to arrive at the particular requirements of claim 33 .

It is therefore submitted that the cited patents, and especially the allegedly obvious combination of Gaukel, Dixon, Miyashita, Leibowitz, and Seeman set forth in the rejection of the Office Action, would not lead one skilled in the art to the applicant’s invention as required by claims 22 and 33. Further, claims 23 and 25 through 9, which depend from claim 1, claim 24, which depends from claim 23, claims 34, 37, 46 and 49, which depend from claim 33, claims 35 and 36, which depend from claim 34 and claims 38 through 40, which depend from claim 37, claim 47, which depends from claim 46 and claim 41, which depends from claim 40, also include the requirements discussed above and therefore are also submitted to be in condition for allowance.

Withdrawal of the §103(a) rejection of claims 22 through 29, 33 through 49 is therefore respectfully requested.


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CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

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